

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYRUS SANAI,
Plaintiff,
v.
ALEX KOZINSKI, ET AL.,
Defendants.

Case No. 4:19-cv-08162-YGR

**ORDER RE: *EX PARTE* APPLICATION AND
MOTION PURSUANT TO 28 USC § 455**

Re: Dkt. No. 80

The Court has received plaintiff Cyrus Sanai's *ex parte* application and motion pursuant to 28 U.S.C. section 455 for disclosure of information relevant to the pending disqualification motion. (Dkt. No. 80.) Mr. Sanai has filed a similar regularly noticed motion pursuant to 28 U.S.C. section 455 for recusal or, in the alternative, disclosure of relevant information (Dkt. No. 77), which has been referred for consideration at random to Judge James Donato. (Dkt. No. 79.) In so far as the *ex parte* request pertains to the Court and not Judge Donato, the Court responds as follows: as the Court stated in an earlier Order (Dkt. No. 27), the Court again has no relevant information to share or to disclose pursuant to section 455. However, the Court defers to Judge Donato whether Mr. Sanai's motion for disqualification and disclosure motion related to disqualification presents a basis for disqualification.

IT IS SO ORDERED.

Dated: April 28, 2021



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE